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November 21, 2005

PENNSYLVANIA

NEW JERSEY

DELAWARE

The Honorable Joseph J. Farnan, Jr.  
J. Caleb Boggs Federal Building  
844 N. King Street  
Room 2124  
Lockbox 27  
Wilmington, DE 19801

RE: All-Span, Inc. v. United States of America et al.,  
Docket No.: 04-CV-1420

Dear Judge Farnan:

I represent the Plaintiff in this matter. Your Honor issued a Rule to Show Cause in this matter as to why the matter should not be terminated for lack of prosecution. My response has been electronically filed.

Also, Your Honor directed me to file a joint discovery plan by today. Unfortunately, I am unable to do so because, as I explain in the response to the order to show cause, one defendant has never been served, one defendant has been placed in receivership and the final defendant has never entered an appearance and is about to be defaulted. In light of this situation, I am not able to file a joint discovery plan and it appears that no discovery will be necessary in this action.

Respectfully,

/s/ Robert D. Ardizzi  
ROBERT D. ARDIZZI

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